



Public Service Commission

State of North Dakota

COMMISSIONERS

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06 November 2023

Timothy Dawson, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re:
Otter Tail Power Company
2023 Electric Rate Increase
Application
Case No. PU-23-342

Dear Mr. Dawson:

Enclosed is a request for an Administrative Law Judge for the captioned case. The Commission has not yet issued a Notice of Hearing. When a Notice is issued, we will forward it to your office.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,



John Schuh
General Counsel

enclosures

c: w/encl. via e-mail only:

Cary Stephenson (cstephenson@otpc.com)
Mitch Armstrong (marmstrong@smithporsborg.com)



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
SFN 17819 (Rev. 06-2007)

Name of Agency, Board, or Commission

North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Otter Tail Power Company, 2023 Electric Rate Increase, Application, PSC Case

No. PU-23-342

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-05 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:

On 02 November 2023, Otter Tail Power Company filed a notice of change in rates for electric service, which, if not

suspended, or if suspended and later approved, is an annual increase of electric revenues from ratepayers.

It requests designation of an administrative law judge (please check one):

- ☐ To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- ☒ To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- ☐ To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See Attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments

A Notice of Hearing has not yet been issued. We will forward the Notice to you once it is available.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person

John Schuh, General Counsel

Date

11/6/2023

Signature of Requesting Person

Telephone Number

(701) 328-2421

X

Attachment
Request for ALJ
06 November 2023

Re:
Otter Tail Power Company
2023 Electric Rate Increase
Application
Case No. PU-23-342

AGENCY North Dakota Public Service Commission Representation Mitchell Armstrong Advocacy Counsel Representation John Schuh General Counsel	Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480 Smith Porsborg Schweigert Armstrong Moldenhauer & Smith 122 E. Broadway Ave. Bismarck, ND 58501 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	Telephone Number 701-328-2400 701-258-0630 701-328-2421
PARTY Otter Tail Power Company Representation Cary Stephenson Assoc. General Counsel	Address 215 South Cascade Street PO Box 496 Fergus Falls, MN 56538-0496	Telephone Number 218-739-8200 218-739-8956